

is needed because we have to get this right. We owe it to ourselves, we owe it to the American people, and we owe it to the brave men and women who continue to serve with great courage, honor and sacrifice in Afghanistan.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

AMENDMENT NO. 2629 WITHDRAWN

Mr. MCCAIN. Mr. President, I have received assurances that there will be no blocks or impediments to consideration of the prescription drug importation issue, which I and a number of us have been seeking a vote on for a number of years. I have been given assurances that there will be no impediments to bringing that issue up when health reform is before the Senate. Therefore, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MCCAIN. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2644

Mr. VITTER. Mr. President, I ask unanimous consent to set aside the pending amendment and to call up Vitter amendment No. 2644.

The PRESIDING OFFICER. There is no amendment currently pending, so the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER], for himself and Mr. BENNETT, proposes an amendment numbered 2644.

Mr. VITTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that none of the funds made available in this Act may be used for collection of census data that does not include a question regarding status of United States citizenship)

On page 110, line 7, strike "activities," and insert "activities: *Provided further*, That none of the funds provided in this Act or any other act for any fiscal year may be used for collection of census data that does not include questions regarding United States citizenship and immigration status."

Mr. VITTER. Mr. President, I present this amendment on behalf of myself and my distinguished colleague from Utah, Mr. BENNETT, who will speak

after me. It is a very simple but, I believe, a very important amendment. It says we are not going to do a census that doesn't ask some basic questions about citizenship and immigration status.

Specifically, the amendment reads:

None of the funds provided in this act or any other act for any fiscal year may be used for collection of census data that does not include questions regarding United States citizenship and immigration status.

I believe this is a vital amendment for two reasons. If we don't adopt this amendment or other legislation, the census will move forward and will not distinguish in any way between citizens and folks in this country legally and noncitizens. That, in my opinion, is absolutely crazy, again, for two reasons.

No. 1, the census is done every 10 years to give Congress an important tool in terms of many things that Congress and other bodies of government do: funding, public policy, different programs. Clearly, we need accurate, specific information about the illegal alien question in this country. I assume we will all agree, however we come down on the issue, that illegal immigration is a big issue and a big problem. We debate that issue, we try to solve that issue in different ways all the time in this body. Yet we would do a census, we would spend tens of billions of dollars on a census, and we wouldn't ask the question: Are you a citizen and, if not, are you in this country legally or illegally? That is absolutely crazy. The census does ask those questions in the long form. They are able to get the long form completed. They are able to compile information, but that is not the full census; that is a tiny percentage of the full population.

So if we are going to spend tens of billions of dollars every 10 years to do a major census, it seems absolutely a no-brainer that we would get full and accurate information about the number of illegals in this country.

Secondly, and perhaps even more importantly, the single most important thing we use the decennial census for is to reapportion the House of Representatives, to decide how many House Members each State gets. Under the Federal plan, the way the census is designed, the House would be reapportioned counting illegal aliens. States that have large populations of illegals would be rewarded for that. Other States, including my home State of Louisiana, would be penalized.

I believe it is very clear that when the Founders set up our representative democracy, they didn't think of the basic fundamental institutions of our government as representing folks who come into the country breaking the law, staying here illegally. I think it is shocking to most Americans when they hear we would even consider reapportioning the House of Representatives counting illegals, but that is exactly the plan now. Of course, we would have

no opportunity to debate that or to adopt a new plan unless the census distinguishes between citizens and legals and illegals, which my amendment would demand we do.

This isn't some theoretical issue. This is a very concrete issue, a very meaningful issue about how much representation each State has in the House of Representatives. There are many States that will lose representation from what they would otherwise have if illegal aliens are counted in congressional reapportionment. Specifically, the States of Indiana, Iowa, Louisiana, Michigan, Mississippi, North Carolina, Oregon, Pennsylvania, and South Carolina would lose out. So I wish to specifically speak to my colleagues in this body—Republicans and Democrats alike—from those States: Please support the Vitter and Bennett amendment No. 2644. It has a direct impact on whether you are going to have less representation in the House of Representatives or more. Let me be even more blunt. If you vote against this amendment, you are voting against the interests of your State. If you vote against this amendment, you are voting for your State having less representation in the House of Representatives than they would if illegals are not counted in reapportionment. Again, with that in mind, I wish to repeat the list: Indiana, Iowa, Louisiana, Michigan, Mississippi, North Carolina, Oregon, Pennsylvania, and South Carolina. For Senators from those States, it is a vote directly about their State's own interests and their State's representation in the House of Representatives.

More broadly speaking, I think the huge majority of Americans would certainly take the view I am suggesting, which is we should not apportion Members of the House based, in part, on illegals. We should not reward States for having large illegal populations and penalize States that do not. I think that is on a different planet from where our Founding Fathers were in setting up the basic Democratic institutions of our country, and there is no more basic and no more Democratic institution than the House of Representatives.

With that, I urge all my colleagues, Democrats and Republicans, to support this amendment.

I yield time to my distinguished colleague from Utah, Mr. BENNETT.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I thank Senator VITTER for proposing this amendment. It follows the idea of the bill I introduced a few weeks ago that is now S. 1688, the Fairness in Representation Act.

My bill, obviously, will not pass before we get so far down the road to deal with this issue. So it is appropriate for the amendment to be offered, and we can accomplish the same thing with the amendment that would happen if my bill were to pass.

Since my bill was introduced, I have had three primary objections to it. I